

REMARKS

Claims 1-3, 5 and 7-26 are pending in the above-identified application. Claims 10-15 and 19-26 were allowed. Claims 1-3, 5, 7-9, 16-18 were rejected. With this Amendment, claims 1, 10, 12, 16, 21, and 23 are amended.

Objection To Claims

Claims 10, 12, 21, and 23 were objected to for certain informalities. Applicant has amended these claims to correct the various informalities and typographical errors, and accordingly requests removal of these objections.

35 U.S.C. § 102 Anticipation Rejection of Claims

Claim 16 was rejected under 35 U.S.C. § 102(a) as being allegedly anticipated by *Hewitt et al.* (U.S. Patent Application Publication US 2001/0034219 A1). Applicant respectfully traverses this rejection. As the Examiner correctly notes, Applicant mistakenly characterized claim 16 as a dependent claim in his August 12 Office Action Response. Applicant hereby amends Claim 16 to require that the plurality of radio stations are identified by a location identifier that represents the geographical location of the radio. None of the cited references teach or suggest this limitation. Accordingly, Applicant submits that independent Claim 16, as well as dependent Claims 17 and 18, are in condition for allowance.

35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-3 and 9 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Hewitt et al.* (U.S. Patent Application Publication US 2001/0034219 A1) in view of *Louderback* (article titled "Kerbango Debuts Internet Boom Box") and *Yamamoto et al.* (U.S. Patent No. 6,166,778). The Examiner argues that while Claim 1 requires a "location identifier", *Hewitt* discloses that enhanced services can operate with information provided by the radio

appliance to locate radio station's within a subscriber's coverage area, and that therefore, it would be inherent that the system comprises a location identifier. Although Applicant disagrees with the Examiner's contention that a location identifier would be inherent in *Hewitt*, Applicant hereby amends Claim 1 to recite that the location identifier is used for "identifying the second set of configuration data." As the cited references do not disclose using the location identifier for identifying the second set of configuration data, Applicant submits that Claim 1, as well as dependant Claims 2, 3, 5, 7, 8, and 9 are in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, Applicant respectfully submits that all present invention is in condition for allowance. Should the Examiner have any remaining issue, Applicant kindly requests that the Examiner contact the undersigned.

Respectfully submitted,

Dated: January 16, 2004

By: 

Jordan A. Sigale
Registration No. 39,028
SONNENSCHNEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000

14357145